

REMARKS

Claims 1, 2 and 4-21 are in this application.

Claims 1, 2, 7, 8, 11, 14, 15, 18 and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by Fukuzumi (U.S. Patent No. 5,845,066).

Independent claim 1 recites in part as follows:

“A memory apparatus comprising...a second storage region...having a user-use prohibition table...which has a plurality of addresses of data items in which one address designates an associated special user block storing password or the information concerning the copyright of the data stored in the first storage region, and another **address designates a defective location in said memory apparatus.**” (Underlining and bold added for emphasis.)

It is respectfully submitted that the portions of Fukuzumi relied upon by the Examiner (hereinafter, merely “Fukuzumi”) do not disclose the above-mentioned feature of independent claim 1. Specifically, the Examiner relied on column 8, lines 50-60 and column 9, lines 14-28 of Fukuzumi to teach an address that designates a defective location in the memory apparatus. Although, these portions of Fukuzumi mention predetermined address data that is used in a password comparison section, there is no mention of addresses designating a defective location in the memory of an apparatus.

Accordingly, independent claim 1 is believed to be distinguishable from Fukuzumi. For reasons similar to those described above with regard to independent claim 1, independent claims 8 and 15 are believed to be distinguishable from Fukuzumi.

Claims 2, 7, 11, 14, 18 and 21 are dependent from one of independent claims 1, 8 and 15, and, due to such dependency, are also believed to be distinguishable from Fukuzumi for at least the reasons previously described.

Applicant therefore respectfully requests the rejection of claims 1, 2, 7, 8, 11, 14, 15, 18 and 21 under 35 U.S.C. 102(b) be withdrawn.

Claims 4-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fukuzumi (U.S. Patent No. 5,845,066).

Claims 4-6 depend from independent claim 1, and, due to such dependency, are distinguishable over Fukuzumi for at least the reasons previously described.

Applicant therefore respectfully requests the rejection of claims 4-6 under 35 U.S.C. 103(a) be withdrawn.

Claims 9, 10, 12, 13, 16, 17, 19 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fukuzumi in view of Estrakhri (U.S. Patent No. 6,125,435).

Claims 9, 10, 12, 13, 16, 17, 19 and 20 are dependent from one of independent claims 8 and 15 and due to such dependency, are believed to be distinguishable from Fukuzumi for at least the reasons previously described. The Examiner does not appear to rely on Estrakhri to overcome the above-identified deficiencies of Fukuzumi. Therefore, claims 9, 10, 12, 13, 16, 17, 19 and 20 are believed to be distinguishable from the applied combination of Fukuzumi and Estrakhri.

Applicant therefore respectfully requests the rejection of claims 9, 10, 11, 12, 13, 16, 17, 19 and 20 under 35 U.S.C. 103(a) be withdrawn.


It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the Applicant's undersigned attorney and, in

the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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